

Non-Executive Report of the: Standards Advisory Committee Thursday, 22 September 2022	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Local Government Association reports: Abuse and Intimidation of Members and a national census of local councillors	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	(All Wards);

Executive Summary

On 30 June 2022, the Local Government Association published a report on issues of abuse and intimidation experienced by local councillors across the country. The report followed on from a survey they had undertaken on the issue.

This report is presented to the Standards Advisory Committee for consideration so that it is aware of the issues that are set out.

The report also notes a number of actions the Council takes to support Members.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review and note the report.

1. **REASONS FOR THE DECISIONS**

- 1.1 This noting report is presented to the Committee as it is relevant to its duty to manage standard in relation to the role of Members.

2. **ALTERNATIVE OPTIONS**

- 2.1 Not applicable to this noting report.

3. **DETAILS OF THE REPORT**

- 3.1 A part of the Standards Advisory Committee workplan is to monitor actions/issues of interest in the wider local government sector to bring to the Committee's attention when relevant to its work. A part of this involves reporting on the work of the Local Government Association (LGA). Two reports are presented here which are of potential interest to the Committee.

Abuse and Intimidation of Councillors

- 3.2 In October 2021, the LGA launched a survey seeking evidence of abuse and intimidation received by local councillors. On 28 June 2022 they subsequently published a report setting out the findings of that survey along with a number of recommendations.
- 3.3 The full report is attached to this cover at Appendix 1.
- 3.4 A summary of the key themes which emerged from the survey were:
- There was significant variability on the levels of support offered by different local authorities and police forces.
 - Councillors with protected characteristics were likely to experience higher levels of personalised abuse.
 - Abuse significantly impacted councillors' health and wellbeing and had a negative impact on their willingness to stand for re-election.
 - Councillors were potentially more at risk compared to MPs as they were more visible locally.
 - A growing concern that abuse, particularly online, was being normalised.
- 3.5 The LGA therefore proposed a number of recommendations for action with Recommendation 1 in particular targeted at local authorities:

Recommendation 1: Councils and other relevant partners should take greater responsibility for the safety and wellbeing of councillors and take a proactive approach to preventing and handling abuse and intimidation against councillors. This should include addressing the impacts of abuse on councillors' mental health and wellbeing and working in partnership with other agencies and councils to ensure that threats and risks to councillors' safety, and that of their families, are taken seriously.

Recommendation 2: The LGA should continue to gather and disseminate good practice from across the sector, consider what more can be done to prevent abuse and intimidation of councillors through the Civility in public life programme, and support councils and councillors when these incidents occur.

Recommendation 3: Police forces should work to improve the consistency of responses to abuse of and threats made against councillors and take a risk-based approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, such as MPs. This should include identifying best practice in relation to councillor support and safety and sharing it across the country.

Recommendation 4: The Government should prioritise legislation to put it beyond doubt that councillors can withhold their home address from the public register of pecuniary interests.

Recommendation 5: The LGA should work with political parties, election and democratic officers, and organisations responsible for guidance to raise awareness of the options currently available and promote the practice of keeping home addresses private during the election process and once elected.

Recommendation 6: Social media companies and internet service providers should acknowledge the democratic significance of local politicians and provide better and faster routes for councillors reporting abuse and misinformation online.

Recommendation 7: The relevant [Government department should convene a working group](#), in partnership with the LGA, to bring together relevant agencies to develop and implement an action plan to address the issue of abuse of local politicians and their safety.

Support provided by the Council

- 3.6 There are limits to the ability of the Council to protect Councillors as most Councillor activity takes place outside of the authority's control (such as political and community events) and as Councillors are not employees there are also legal restrictions in some areas.
- 3.7 However, the Council recognises that abuse and intimidation of Councillors is a significant, and increasing, issue. Officers have therefore been working to improve the support and advice available and this continues to develop.
- 3.8 Key features of the current support include:
- Including discussion of these issues in the Member Induction programme.
 - Providing guidance on the Members Hub.
 - Use the Members Email Bulletin to highlight the above as well as linking to LGA information and training available to support Members.
 - Ensuring that a risk assessment is completed before any new surgery venue is agreed.
 - Encouraging Members to report abuse to the police and to contact the Monitoring Officer if they need any specific advice.
 - Personal attack alarms have just been procured and are being offered out to Members who wish to have them.

Home Addresses

- 3.9 One issue the LGA report particularly highlights is that councillors may be required to publicise home addresses as part of declaring their pecuniary interests on the public register of interests and the potential for this to be used by those seeking to intimidate Councillors. The report expresses concern that members could be required to give their homes addresses when declaring their pecuniary interests, noting that this requirement was removed from similar pre-election publication documents.

- 3.10 The LGA report calls on the government to introduce legislation to remove this requirement.
- 3.11 In the meantime, the requirement is that for an address to be withheld from the public register then the relevant Councillor must present evidence to the Monitoring Officer as to why the address should be considered as 'sensitive'. In other words, that there is a real and likely threat of intimidation and/or violence.
- 3.12 The Monitoring Officer has reviewed the legislation and is satisfied that it is explicit that an address cannot be withheld without a specific threat in each case. She does therefore require evidence to be provided. However, the Monitoring Officer does take the precautionary principle and so does not require a large amount of evidence before agreeing to such a request.
- 3.13 Democratic Services have highlighted to Members the opportunity to request removal of home addresses on a number of occasions including when receiving new Register of Interest forms since the election. The Monitoring Officer has reviewed 14 such requests since the election as set out below:

Requests where permission was given
Threats of physical violence and intimidate to self and family
Racist and Islamophobic threats
Anonymous calls and previous assault
Intimidation and threats
Abuse from campaigners and random callers at address
Threatening calls and texts from a withheld number
Threatening letter from a resident who saw them at a community event with their children.
Concerned for family members following incidents during campaigning.
Threatening letter from a resident.
Health concerns within the family
Abuse and harassment towards member and family

Requests where permission was not given
General feeling of vulnerability being a public figure with home address being accessible on the website no specific threats or incidents
General caution for them and family no specific threats or incidents
General concerns raised by those in the household about address being in the public domain but no specific threats or incidents

- 3.14 As can be seen from the above, requests are very likely to be accepted by the Monitoring Officer in any cases where there is a specific issue either in relation to the Member or their family/household.

National Member Census

- 3.15 On 17 June 2022, the LGA published its Census of Local Authority Councillors in England. This also includes data on local Mayors.
- 3.16 The data presented in the report was collected in January and February 2022 and so will not include any changes as a result of the May 2022 local elections.
- 3.17 A total of 5,055 responses were received which is a response rate of roughly 30% of the roughly 17,000 councillors in England.
- 3.18 In the report the results have been extrapolated from the survey to provide national estimates. The document reports that these estimates are generally considered to be robust but that care should be taken when splitting out smaller samples such as for regions.
- 3.19 The report provides summary themes on the subjects of Councillors' work, views on the role and personal characteristics (such as age, gender).
- 3.20 For example, 79% of councillors would recommend the role to others, councillors spent on average 22 hours a week on the role and that around 60% of councillors were male.

4. EQUALITIES IMPLICATIONS

- 4.1 It is important to understand how issues such as abuse and intimidation impact on councillors and to look at how these challenges may affect members with different personal characteristics.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
 - Data Protection / Privacy Impact Assessment.
- 5.2 None.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications arising from this noting report.

7. COMMENTS OF LEGAL SERVICES

7.1 As referred to in paragraph 3.12 of the report, Section 32 of the Localism Act 2011 provides that if a member has an interest (whether or not a disclosable pecuniary interest), and the member and the monitoring officer, consider that disclosure of the details of the interest could lead to the member (or a person connected with the member) being subject to violence or intimidation, copies of the register of interests that are made available for inspection and any published version of the register, must not include details of the interest (but may state that the member has an interest the details of which are withheld under section 32)].

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- Appendix 1 – LGA Report on abuse and intimidation of Members
- Appendix 2 – LGA Report on Councillor Census data

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None

Officer contact details for documents:

N/A